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63D CONGRESS, *1st Session.* | SENATE. | REPORT No. 64.

WOMAN SUFFRAGE.

JUNE 13, 1913.—Ordered to be printed.

Mr. ASHURST, from the Committee on Woman Suffrage, submitted the following

REPORT.

[To accompany S. J. Res. 1.]

The Senate Committee on Woman Suffrage, having under consideration Senate joint resolution No. 1, introduced by Mr. Chamberlain, to wit:

JOINT RESOLUTION Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of the said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

By direction of a majority of the committee the resolution is reported favorably and with the recommendation that it do pass. The question of granting to women the elective franchise being one of far-reaching consequences and vast importance, involving the political rights of one-half of the citizens of the United States, the committee (notwithstanding the able arguments on this subject and exhaustive reports which have been submitted to Congress from time to time since 1866) took the view that a full and complete hearing should be had; whereupon a number of eminent persons addressed the committee in support of and against the resolution.

PROGRESS.

Observant persons will not fail to notice that marked changes in political and social conditions in the United States are now taking

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place; that the conditions under which we have been living are rapidly changing, and that many, if not most, of the American people now recognize that society and government are dynamic, *not* static in character. It is not necessary, in the scope of this report, to discuss *all* the causes of these changes, but it will not be denied that some of the contributing causes thereof are the adoption of improved means of transportation; the ready communication among the people afforded by the telephone, the telegraph, the post offices, and the excellent facilities for obtaining education and the transmission of intelligence afforded by the schools, the newspapers, and the magazines.

Some statesmen, publicists, and editors deplore the fact that we are now living in an age of inquiry, criticism, and searching analysis, but fortunately the country realizes that smug contentment is a corrosive effluent, deadly to the progress, advancement, and happiness of a nation. A people free from the exigencies of life—free from the desire to bring about a betterment of conditions—lose that keen incentive to improvement which adds so much zest, beauty, and grace to life.

History is largely an account of man's struggle for freedom, and from the beginning of the human race, down to the present time, its tendency has been toward liberty—mankind reaching out for freedom and immeasurably attaining it.

American civil liberty is the fruitage of many centuries of earnest and patriotic endeavor. The preservation of civil liberty will always depend upon the vigilance and zeal of those who love freedom, and if a people do not love liberty well enough to contend for it, if a people prefer turgid quietude to the boisterousness of liberty they may be sure that the usurpers of power will sooner or later impose tyrannies and despotism upon them.

CONSTITUTIONAL AMENDMENTS.

Only a short time since some of the wisest and most profound citizens of this Republic believed that by reason of the complicated procedure and large majorities required, it was difficult, if not impossible, to amend the Constitution of the United States, and some eminent statesmen even urged that strained constructions should be placed upon the Constitution so as to change somewhat the structure of our political system, bring it into conformity with the dynamic conditions of the day, and thus secure needful reforms.

Dicey says of amending the Constitution of the United States:

> The sovereign of the United States has been roused to serious action but once during the course of 90 years. It needed the thunder of the Civil War to break his repose, and it may be doubted whether anything short of impending revolution will ever again rouse him to activity. But a monarch who slumbers for years is like a monarch who does not exist.

Speaking in the Senate of the United States on the 5th day of July, 1909, Hon. H. D. Money, who was a close observer of men and events, a statesman whose memory this Nation reveres, a scholar, thinker, and orator whose services here added glory and usefulness to this body, said:

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Mr. President, I am one of those who believe that there never will be another amendment to the Constitution of the United States. * * * I do not believe this amendment (income-tax amendment) to the Constitution will ever be a part of it * * *.

But contrary to the opinion which a few years since prevailed among many thinking people, within the past five months two amendments to the Constitution of the United States have been proclaimed, and they were adopted under the procedure which is indisputably complicated and involved. The adoption of these amendments, in addition to the valuable reforms they will bring about, has convinced the American people that our Federal Constitution is a living, breathing, dynamic force that protects persons as well as property, and that it is not a procrustean bed of fixity incapable of amendment or change.

During the Sixty-second Congress, from December 4, 1911, to December 4, 1912, 21 amendments were proposed to the Constitution of the United States, and the feeling that the Constitution may be amended is not confined to any one political party. To this date, during the Sixty-third Congress, 14 proposals to amend the Constitution of the United States have been introduced in the Senate and 32 proposals in the House of Representatives, demonstrating that the "let-alone," noninterference, careless, laisser faire policy does not meet the demand of the present day.

"New occasions teach new duties,
Time makes ancient good uncouth,
They must upward still and onward
Who would keep abreast of truth.
Lo, before us gleam her camp fires;
We ourselves must Pilgrims be,
Launch our Mayflower and steer boldly
Through the desperate winter sea,
Nor attempt the future portals
With the past's blood-rusted key."

But it can not fairly be argued that the proposed constitutional amendment which provides that the rights of citizens of the United States shall not be denied or abridged by the United States or any State, by reason of sex, is a new, "novel," or "radical" movement, for every phase of this subject has been discussed from time to time by many of the ablest minds of the Nation. It has been considered in its relation to the Constitution, and constitutional law bearing upon such polity has been given earnest and careful consideration.

On July 2, 1776, two days before the Declaration of Independence was signed, New Jersey, in her first State constitution, enfranchised the women by changing the words of her provincial charter from "Male freeholders worth fifty pounds" to "*all inhabitants* worth fifty pounds," and for 31 years the women of that State voted.

GAINS IN EQUAL SUFFRAGE.

Eighty years ago women could not vote anywhere, except to a very limited extent in Sweden and in a few other places in the Old World.

Time.	Place.	Kind of suffrage.
1838	Kentucky	School suffrage to widows with children of school age.
1850	Ontario	School suffrage, women married and single.
1861	Kansas	School suffrage.
1867	New South Wales	Municipal suffrage.
1869	England	Municipal suffrage, single women and widows.
	Victoria	Municipal suffrage, married and single women.
	Wyoming	Full suffrage.
1871	West Australia	Municipal suffrage.
1875	Michigan	School suffrage.
	Minnesota	Do.
1876	Colorado	Do.
1877	New Zealand	Do.
1878	New Hampshire	Do.
	Oregon	Do.
1879	Massachusetts	Do.
1880	New York	Do.
	Vermont	Do.
	South Australia	Municipal suffrage.
1881	Scotland	Municipal suffrage to the single women and widows.
	Isle of Man	Parliamentary suffrage.
1883	Nebraska	School suffrage.
1884	Ontario	Municipal suffrage.
	Tasmania	Do.
1886	New Zealand	Do.
	New Brunswick	Do.
1887	Kansas	Do.
	Nova Scotia	Do.
	Manitoba	Do.
	North Dakota	School suffrage.
	South Dakota	Do.
	Montana	Do.
	Arizona	Do.
	New Jersey	Do.
	Montana	Tax-paying suffrage.
1888	England	County suffrage.
	British Columbia	Municipal suffrage.
	Northwest Territory	Do.
1889	Scotland	County suffrage.
	Province of Quebec	Municipal suffrage, single women and widows.
1891	Illinois	School suffrage.
1893	Connecticut	Do.
	Colorado	Full suffrage.
	New Zealand	Do.
1894	Ohio	School suffrage.
	Iowa	Bond suffrage.
	England	Parish and district suffrage, married and single women.
1895	South Australia	Full State suffrage.
1896	Utah	Full suffrage.
	Idaho	Do.
1898	Ireland	All offices except Members of Parliament.
	Minnesota	Library trustees.
	Delaware	School suffrage to tax-paying women.
	France	Women engaged in commerce can vote for judges of the tribunal of commerce.
	Louisiana	Tax-paying suffrage.
1900	Wisconsin	School suffrage.
	West Australia	Full State suffrage.
1901	New York	Tax-paying suffrage; local taxation in all towns and villages of the State.
	Norway	Municipal suffrage.
1902	Australia	Full suffrage.
	New South Wales	Full State suffrage.
1903	Kansas	Bond suffrage.
	Tasmania	Full State suffrage.
1905	Queensland	Do.
1906	Finland	Full suffrage; eligible to all offices.
1907	Norway	Full parliamentary suffrage to the 300,000 women who already had municipal suffrage.
	Sweden	Eligible to municipal offices.
	Denmark	Can vote for members of boards of public charities, and serve on such boards.
	England	Eligible as mayors, aldermen, and county and town councilors.
	Oklahoma	New State continued school suffrage for women.

Time.	Place.	Kind of suffrage.
1908	Michigan	Taxpayers to vote on questions of local taxation and granting of franchises.
	Denmark	Women who are taxpayers or wives of taxpayers vote for all officers except members of Parliament.
	Victoria	Full State suffrage.
1909	Belgium	Can vote for members of the counseils des prud-hommes, and also eligible.
	Province of Voralberg (Austrian Tyrol)	Single women and widows paying taxes were given a vote.
	Ginter Park, Va	Tax-paying women, a vote on all municipal questions.
1910	Washington	Full suffrage.
	New Mexico	School suffrage.
	Norway	Municipal suffrage made universal. (Three-fifths of the women had it before.)
	Bosnia	Parliamentary vote to women owning a certain amount of real estate.
	Diet of the Crown Prince of Krain (Austria)	Suffrage to the women of its capital city, Laibach.
	India (Gaekwar of Baroda)	Women of his dominions vote in municipal elections.
	Wurtemberg, Kingdom of	Women engaged in agriculture vote for members of the chamber of agriculture; also eligible.
	New York	Women in all towns, villages, and third-class cities vote on bonding propositions.
1911	California	Full suffrage.
	Honduras	Municipal suffrage in capital city, Belize.
	Iceland	Parliamentary suffrage for women over 25 years.
1912	Oregon	Full suffrage.
1912	Arizona	Do.
1912	Kansas	Do.
1913	Alaska	Do.

We do not feel called upon, in this report, to discuss (if indeed it be debatable) the question as to the equality or inequality of the two sexes from an intellectual standpoint. It is, or at least ought to be, an axiom of American liberty that a *class* of persons obedient to the laws as are the women; a class which has a peculiar care for the rights of others; a class which is taxed upon its labor and property for the support of the Government; which is liable to punishment for acts which the law makes criminal; which is patriotic, learned, and in a large measure capable of the highest degree of efficiency in the useful arts and sciences; which is patient beyond estimate and constantly pouring forth costly sacrifices for the common good of the species, *should not be denied* a voice in the enactment and enforcement of laws and concerns of the Government.

"Government is simply a tool in the hands of the people for the fashioning of that people's civilization." Government is strong or weak, capable or deficient, according to the people who control and make up that Government. In this Republic the people constitute the Government. They are its creators and its maintenance; *they are the Government.* That the granting of the elective franchise to women would add to the strength, efficiency, justice, and fairness of government we have not the slightest doubt, and this is especially true in the United States where all power is reposed in the people with universal suffrage as the primal basis of its exercise. "The people" includes women who can not be denied those political privileges and responsibilities which men claim and assert for themselves without doing violence to the fundamental principles of our Government.

It is anomalous and archaic, in a free Republic, professedly made up *of*, controlled *by*, and administered *for* all the people to deny to one-half of its citizens the right of exercising a valuable function of citizenship, to wit, the elective franchise, and thus preclude that

one-half from the right and power to say what law or polity shall be its rule of conduct. And this anomaly becomes odious and abhorrent when we reflect that the particular one-half of citizenship thus excluded is the identical one-half from which springs so much wisdom, courage, cheer, hope, and good counsel. In this Republic we are in constant warfare against fraud and violence, avarice and cupidity, and in behalf of liberty and justice whose success will be accelerated by extending the franchise to women, in whom the materialistic is generally submerged for the idealistic; a class of voters which looks to all laws and movements as to how such laws and movements will affect her children; how such laws and conditions will promote morals, human health, and human progress, more *especially than* as to how this or that particular law or polity will develop or serve material or property interests. In other words, as has been said, "Man looks after the affairs of life, but woman looks after life itself."

Woman's sphere, her ideals and her duties, make her the inescapable and essential conservator of human life, charged as she is with the duty of conserving the human race; and it is in harmony with political and natural justice to accord to her the right to say what laws shall assist her in bringing about the betterment of economic conditions.

AMERICAN CITIZENS.

This question as to who is an American citizen was left somewhat in doubt by the Constitution of the United States until the adoption of the fourteenth amendment in 1868, when that amendment, in the first section thereof, created a distinct Federal citizenship, as follows:

Article XIV.

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, *are citizens of the United States*, and of the State wherein they reside. * * *

The rights attaching to an American citizen may be divided into two classes, that is to say, civil rights and political rights. On the ground of public policy, minors, incompetents, and others are frequently denied political rights. The right of suffrage (that is, elective franchise, or the right to vote) is a political right which upon the grounds of sound public policy and a due regard for the genius of our form of government should never be withheld from a class of citizens, fairly and in good faith proved to be worthy of possessing this right. That the class of citizens described in the above resolution (females) has abundantly demonstrated it is eminently worthy of possessing such a right, has never been successfully contradicted. In determining whether or not a particular class of citizens is entitled to the elective franchise the following rules, set down by S. E. Forman, Ph. D., in his Advanced Civics (see p. 106), will be found useful, and if a class fairly and in good faith meets the requirements of these conditions, it is respectfully submitted that the elective franchise should be granted to such class. The things to be considered, therefore, are as follows:

1. Will this class of citizens (females) vote whenever the lawful opportunity is presented?

2. Will this class of citizens (females) attempt to comprehend the questions upon which it votes?

3. Will this class of citizens (females) attempt to learn something of the character and fitness of the persons for whom it votes?

4. Will this class vote against dishonest persons for office?

5. Will this class oppose dishonest measures?

6. Will this class refuse, directly or indirectly, to accept a bribe, and refuse, directly or indirectly, to give a bribe?

7. Will this class place country above party?

8. Will this class recognize the result of the election as the will of the people, and therefore as the law?

9. Will this class continue to fight for a righteous, although defeated, cause so long as there is a reasonable hope of success?

10. Is this class of citizens able to read and write?

11. Does this class of citizens pay taxes?

We submit that the class of voters (females) sought to be enfranchised by this resolution answers each and every one of these interrogatories with distinguished credit to itself and that it fully, fairly, and in good faith measures up to these requirements.

We therefore, upon all grounds, conclude that the resolution should be submitted to the States for their adoption or ratification.

Subjoined to this report, and made part thereof, will be found a memorial of the National American Woman Suffrage Association, being Senate Document No. 519, Sixty-first Congress, second session.

[Senate Document No. 519, Sixty-first Congress, second session.]

To the Senate and House of Representatives in Congress assembled:

Your memorialists, representing the women of the United States desiring the right of suffrage and now being represented in national convention, representing nearly every State in the Union, respectfully demand the recognition by Congress of the right to vote for those women of the United States who possess equal qualifications with men in the matter of intelligence or other conditions imposed by the several States upon the exercise of suffrage.

We ask legislation which will provide that no citizen of the United States be denied or abridged the right of vote by the United States or by any State on account of sex.

We ask that an amendment be submitted to the fifteenth article of the Constitution of the United States, so that it shall read as follows, to wit:

"ARTICLE XV.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, sex, or previous condition of servitude."

The reasons for our request are as follows:

(1) The women of the United States are citizens of the United States, entitled by nature to an equal right, to enjoy the opportunities of life.

(2) They perform half the work of the United States.

(3) They bear all of the children of the United States.

(4) They educate these children.

(5) They inculcate in these children lessons of morality, of religion, of industry, of civic righteousness, and of civic duty.

(6) They deserve to be honored by the children of the country as entitled to equal dignity and honor possessed by men.

(7) They pay half of the taxes of the United States.

(8) They possess half of the property of the United States, or at least they are entitled to possess half of the property of the United States by virtue of labor performed and duty well done.

Their property and their right to liberty and to life are subject to law. The law controls the property rights of women and the rights of women to life, liberty, and

the pursuit of happiness, and, therefore, we demand the right to a voice in the election of Representatives to write these statutes and to execute them.

We notify you that the injustice of the past, denying us these obvious rights, will no longer be patiently endured. You can not, in the presence of God and with a clean conscience, deny the validity of the reasons we present justifying our demand.

Answer these arguments.

Answer these sound reasons with a good conscience, and you are compelled to yield to the righteous demand of the women of America.

You well know, as students of history and as students of statecraft, that the ballot is the right protective of every other right, and, knowing this, how will you deny women equal opportunity to earn equal wages for equal labor?

Will you suggest that good women will not vote and bad women will vote? This most untrue and unkind suggestion has been emphatically and finally answered by history, which demonstrates that the same percentage of women vote as men, and that the vote of undesirable women is an utterly negligible quantity. That women are not to be regarded as bringing to suffrage a preponderance of evil, but that their vote has brought to use of the state an important influence in the interest and well-being of children; new and stronger laws for the protection and advancement of the interest of children; new and better laws for the preservation of the public health; new and better laws for decency in administration and the beautifying of cities, and more worthy candidates by all parties are offered where women vote.

We demand the right of suffrage because it is justified by every natural right, beause it can not be denied by conscientious, thoughtful, studious men who desire to deal justly with all human beings alike. We desire these rights in order to raise in dignity and power the mothers of this Nation, and for the broader reasons, that no nation ever rises higher than the motherhood of the nation, and the welfare of this Nation is not promoted by denying to the mothers of the nation the elemental right of suffrage which is essential, not only to protect their own rights of life, liberty, property, and pursuit of happiness, but to protect their children, whom they have so loved, from the treacherous pitfalls that line the pathway of life.

Very obediently, yours,

ANNA HOWARD SHAW,
President of National American Woman Suffrage Association.

RACHEL FOSTER AVERY,
First Vice President.

CATHERINE WAUGH MCCULLOCH,
Second Vice President.

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